



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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CB

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/228,845	01/12/99	METCALFE	P 350340800004

PM82/0810

F DREXEL FEELING  
JONES DAY REAVIS AND POGUE  
NORTH POINT  
901 LAKESIDE AVENUE  
CLEVELAND OH 44114

EXAMINER

NICHOLSON, E

ART UNIT

PAPER NUMBER

3627

DATE MAILED:

08/10/00

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No.

09/228,845

Applicant(s)

METCALFE ET AL.

Examiner

Eric K Nicholson

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

### Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,4,5,6,7,9,12,13,14 and 15 are rejected under 35 U.S.C. § 102(a) as being clearly anticipated by U.S. patent 3,759,553 to Carter. Carter illustrates all the features of the present invention including first coupling member 2B, second coupling member 2A and locking member 10 fitted in through slot 11 in the second coupling member to seat in the grooves 8 and 9 formed in the two coupling members. Carter further teaches using a lobed seal in a groove wherein the groove can be located in the second coupling member, see col. 1, line 25.

Claims 1,4,6,7,9,12 and 14 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by U.S. patent 5,255,945 to Toon. Toon illustrates all the

features of the present invention including first coupling member 18, second coupling member 17 and locking member 38 fitted in through slot 40 in the second coupling member to seat in the grooves 29, 30 formed in the two coupling members. Toon further teaches using a seal in a groove wherein the groove can be located in the second coupling member, see col. 7, lines 50-55 where it is noted that putting the seal in the female coupling is known but that it is preferred to place it in the male coupling.

Claims 1,2,3,6,7,9,10,11 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by either U.S. patent 3,181,897 to Krayenbuhl et al. or U.S. patent 4,396,210 to Spencer, III et al.. Both Krayenbuhl and Spencer illustrate all the features of the present invention including first coupling member 18 in Spencer and 14 in Krayenbuhl, second coupling member 12 in Spencer and 10 in Krayenbuhl and locking member 16 in Spender and 53 in Krayenbuhl . Both locking means are fitted in through a slot 28 in Spencer and 66 in Krayenbuhl and seat in the cooperating grooves formed in the two coupling members. The locking means of both teach a handle 30 of Spencer and 74 of Krayenbuhl and also include reduced thickness at adjacent ends in order to overlap. See figure 1 of Spencer and fig. 3 of Krayenbuhl.

Claims 1,4,6,7,8,9,12 and 14 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by U.S. patent 5,083,820 to Hopperdietzel. Hopperdietzel illustrates all the features of the present invention including first coupling member 211, second coupling member 210 and locking member 9 fitted in through a slot to seat in the grooves formed in the two coupling members. Hopperdietzel further teaches using a recess in the first coupling member which is wider than that of the groove of the second coupling member.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Nicholson whose telephone number is (703) 308-0829. The examiner can normally be reached on Tuesdays thru Fridays from 7:30 to 6:00.

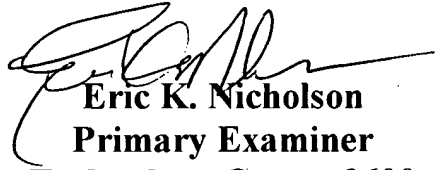
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bethanne Dayoan, can be reached on (703) 308-3865. The fax phone number for Technical Center 3600 is (703) 305-3597.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technical Center receptionist whose telephone number is (703) 308-2168.

ekn  
08/08/00



**Eric K. Nicholson**  
**Primary Examiner**  
**Technology Center 3600**